

LABEL, IN PART: "Major B Complex Brand Natural Vitamin Tablets * * * [or "Major-B Brand Natural Vitamin B Complex with added thiamine Tablets"]."

	<i>Each Tablet</i>		<i>(3 Tablets)</i>
	<i>Milligrams</i>	<i>Micrograms</i>	<i>Micrograms</i>
Thiamine (Vitamin B ₁)-----	.333	333	1,000
Riboflavin (Vitamin B ₂)-----	0.166	166	500
Pyridoxine (Vitamin B ₆)-----	0.026	26	80
Pantothenic Acid-----	0.083	83	250
Niacin-----	0.166	166	500

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article in the packages and cartons, namely, in a leaflet entitled "Buoyant Health For All The Family," which was enclosed in each package and carton, were false and misleading. The statements represented and suggested that the article was effective to provide greater energy, steadier nerves, better digestion, improved health and vigor, better appetite, insurance from vitamin deficiencies, and physical well-being, and protection against frequent colds, constipation, fatigue, digestive upsets, and other common ills; that the article would provide the vitamins found in whole wheat bread, eggs, milk, liver, and tomato juice; that there are widespread dietary deficiencies that would be corrected by use of the article; that the article contained nutritionally significant amounts of all vitamins of the B-complex; that foods are an unreliable source of vitamins for the reasons specified; and, therefore, that it was desirable, if not necessary, to supplement the ordinary diet with the article. The article was not capable of fulfilling the promises of benefit made for it, and the statements were contrary to fact.

The article was alleged also to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: November 29, 1951. Default decree of condemnation and destruction.

3719. Misbranding of Rexair device. U. S. v. 94 Devices, etc. (F. D. C. No. 27277. Sample No. 41923-K.)

LABEL FILED: June 27, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about April 1, 1949, by the Rexair Div., Martin-Parry Corp., from Toledo, Ohio.

PRODUCT: 94 *Rexair devices* and 10 copies of booklets entitled "Rexair The Modern Home Appliance" and "King of The Air" at Chicago, Ill.

LABEL, IN PART: "Rexair Conditioner and Humidifier."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned booklets, which accompanied the devices, were false and misleading. The statements represented and suggested that the device, through removal of dust from the air, was effective to hasten convalescence and prevent asthma, hay fever, and tuberculosis; and that the device was effective in preventing air-borne infections, causing 85% of deaths from infectious diseases, including pneumonia, tuberculosis, diphtheria, bronchitis, colds, influenza, la grippe, asthma, catarrh, croup, hay fever, sinus infections, tonsillitis, measles, scarlet fever, meningitis, typhoid, tetanus, septic sore throat, allergic diarrhea, and infantile eczema. The device was not capable of fulfilling the claims of benefit stated and implied.

DISPOSITION: January 21, 1952. The Martin-Parry Corp., claimant, having filed an answer denying that the devices under seizure were misbranded and the Government and the claimant having subsequently agreed to the entry of an order, the court entered its order stating that the devices under seizure were, when shipped, in contravention of Section 502 (a), and directing that such devices, with the consent of the claimant, be delivered by the United States marshal to some public or charitable hospital within the Northern District of Illinois, under labeling to read as follows:

"The Rexair machine is a portable electric cleaner that retains the material collected in a reservoir of water, thus affording a means of disposing of the collected material without shaking it into the air or otherwise handling it.

"The Rexair machine is unique in that its cleaning and dust retaining properties are sufficiently complete to make it useful as an adjunct in the home and hospital to afford symptomatic relief in a protected area or atmosphere such as a closed room for some sufferers of house dust allergy and pollen allergy.

"In addition to its other properties, the Rexair machine, when used according to directions, is capable of increasing the moisture content of dry air."

The court order also directed that the labeling that accompanied the devices shipped in 1949 should be disposed of by the United States marshal in accordance with Section 304 (d).

DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR A LABEL CONTAINING AN ACCURATE STATEMENT OF THE QUANTITY OF THE CONTENTS*

3720. Misbranding of epsom salt, isopropyl alcohol rubbing compound, and mineral oil. U. S. v. Roisman Products Co. Plea of nolo contendere. Fine of \$50 and probation for 3 years. (F. D. C. No. 31303. Sample Nos. 16171-L, 16174-L, 31962-L, 31963-L.)

INFORMATION FILED: February 11, 1952, Western District of Oklahoma, against the Roisman Products Co., a partnership, Oklahoma City, Okla.

ALLEGED SHIPMENT: Between the approximate dates of July 18, 1950, and February 5, 1951, from the State of Oklahoma into the States of Kansas and Missouri.

LABEL, IN PART: (Carton) "Fulvalu Epsom Salts * * * Contains 1/2 lb. when Packed"; (bottle) "Roico Isopropyl Alcohol Rubbing Compound * * * Contents 1 Pint Roisman Products Co"; (bottle) "Stephens' Isopropyl Alcohol Rubbing Compound * * * One Fluid Pint Distributed By Stephens Products Co"; (bottle) "Stephens' Heavy Mineral Oil * * * 1 Fl. Pint Packed For Stephens Products Co. * * * Oklahoma City, Okla."

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the packages and bottles failed to bear labels containing accurate statements of the quantity of the contents since they contained less than the declared amounts.

The information charged also (in count 1) the interstate shipment of a quantity of imitation vanilla flavor which was misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

* See also Nos. 3701-3710.